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BellSouth Telecommunications, Inc.

333 Commerce Street

Suite 2101

Nashville, TN 37201-3300

guy hicks@bellsouth.com

February 2, 2004

Guy M. Hicks

General Counsel

615 214 6301

Fax 615 214 7406

VIA HAND DELIVERY

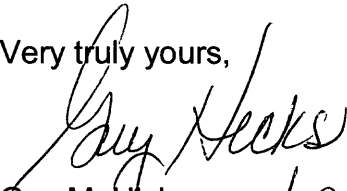
Hon. Deborah Taylor Tate, Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

Re: *Implementation of the Federal Communications Commission's  
Triennial Review Order (Nine-month Proceeding) (Loop & Transport)*  
Docket No. 03-00527

Dear Chairman Tate:

On January 28, 2004, the Hearing Officer in this docket issued his *Order to Require BellSouth to File Responses to Subpoenas with the TRA*. Pursuant to that *Order*, enclosed are the original and four copies and a CD Rom of nonproprietary responses to BellSouth's subpoena issued in the referenced matter on or about November 14, 2003. Proprietary responses are being submitted under separate cover subject to the provisions of the Protective Order entered in this matter. A copy of this letter is being provided to counsel of record.

Very truly yours,

  
Guy M. Hicks w/permission @ch

GMH:ch

## CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2004, a copy of the foregoing document was served on the parties of record, via the method indicated:

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Henry Walker, Esquire  
Boult, Cummings, et al.  
414 Union Street, #1600  
Nashville, TN 37219-8062  
[hwalker@boultcummings.com](mailto:hwalker@boultcummings.com)

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

Charles B. Welch, Esquire  
Farris, Mathews, et al.  
618 Church St., #300  
Nashville, TN 37219  
[cwelch@farrismathews.com](mailto:cwelch@farrismathews.com)

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

Martha M. Ross-Bain, Esquire  
AT&T  
1200 Peachtree Street, Suite 8100  
Atlanta, Georgia 30309  
[rossbain@att.com](mailto:rossbain@att.com)

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

Timothy Phillips, Esquire  
Office of Tennessee Attorney General  
P. O. Box 20207  
Nashville, Tennessee 37202  
[timothy.phillips@state.tn.us](mailto:timothy.phillips@state.tn.us)

☐ Hand  
☒ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

H. LaDon Baltimore, Esquire  
Farrar & Bates  
211 Seventh Ave. N, # 320  
Nashville, TN 37219-1823  
[don.baltimore@farrar-bates.com](mailto:don.baltimore@farrar-bates.com)

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

James Wright, Esq.  
United Telephone - Southeast  
14111 Capitol Blvd.  
Wake Forest, NC 27587  
[james.b.wright@mail.sprint.com](mailto:james.b.wright@mail.sprint.com)

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

Ms. Carol Kuhnnow  
Qwest Communications, Inc.  
4250 N. Fairfax Dr.  
Arlington, VA 33303  
[Carol.kuhnnow@qwest.com](mailto:Carol.kuhnnow@qwest.com)

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

Jon E. Hastings, Esquire  
Boult, Cummings, et al.  
P. O. Box 198062  
Nashville, TN 37219-8062  
[jhastings@boultcummings.com](mailto:jhastings@boultcummings.com)

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

Dale Grimes, Esquire  
Bass, Berry & Sims  
315 Deaderick St., #2700  
Nashville, TN 37238-3001  
[dgrimes@bassberry.com](mailto:dgrimes@bassberry.com)

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

Mark W. Smith, Esquire  
Strang, Fletcher, et al.  
One Union Square, #400  
Chattanooga, TN 37402  
[msmith@sf-firm.com](mailto:msmith@sf-firm.com)

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

Nanette S. Edwards, Esquire  
ITC^DeltaCom  
4092 South Memorial Parkway  
Huntsville, AL 35802  
[nedwards@itcdeltacom.com](mailto:nedwards@itcdeltacom.com)

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

Guilford Thornton, Esquire  
Stokes & Bartholomew  
424 Church Street, #2800  
Nashville, TN 37219  
[gthornton@stokesbartholomew.com](mailto:gthornton@stokesbartholomew.com)

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

Marva Brown Johnson, Esquire  
KMC Telecom  
1755 N. Brown Road  
Lawrenceville, GA 30043  
[marva.johnson@kmctelecom.com](mailto:marva.johnson@kmctelecom.com)

- ☐ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight
- ☒ Electronic

Ken Woods, Esquire  
MCI WorldCom  
6 Concourse Parkway, #3200  
Atlanta, GA 30328  
Ken.woods@mci.com

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*Guy Hicks*  
*at permission (ch)*

519613

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

IN RE: Implementation of the  
Federal Communications Commission's  
Triennial Review Order  
(Nine Month Proceeding) (Loop & Transport)

Docket: 03-00527

**RESPONSE OF AENEAS COMMUNICATIONS, LLC. TO SUBPOENA DUCES  
TECUM ISSUED ON BEHALF OF BELL SOUTH ON DECEMBER 2, 2003**

In compliance with the subpoena issued on behalf of BellSouth Communications, Inc., Aeneas Communications, LLC tenders this informal response in accordance with TRA Procedural Rule 1200-1-2-.11(1):

1. "Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee."

RESPONSE: Attachment 1 hereto is BellSouth billing for T-1 lines that we lease from BellSouth.

2. "All information set forth in the Attachment, "Matters upon which examination is requested per TCA 4-5-311 and 65-2-102..."

OBJECTION: In terms of documentation, the phrase "all information" as used in the subpoena duces tecum is overly vague, unduly burdensome, and incapable of meaningful response. In an effort to facilitate informal discovery, the following information is provided:

RESPONSE [1]: denied

RESPONSE [2]: denied

RESPONSE [3]: denied

RESPONSE [4]: not applicable

RESPONSE [5]: not applicable

RESPONSE [6]: not applicable

RESPONSE [7]: not applicable

RESPONSE [8]: denied

RESPONSE [9]: denied

RESPONSE [10]: denied

RESPONSE [11]: denied

RESPONSE [12]: not applicable

RESPONSE [13]: not applicable

RESPONSE [14]: not applicable

RESPONSE [15]: not applicable

RESPONSE [16]: not applicable

RESPONSE [17]: not applicable

RESPONSE [17] (sic): not applicable

RESPONSE [18]: 119 E. College St., Jackson, TN 38301

RESPONSE [19]: 119 E. College St., Jackson, TN 38301

RESPONSE [20]: not applicable

RESPONSE [21]: we lease a Smart Ring from BellSouth, but it was rendered unusable by a tornado that destroyed BellSouth's above ground architecture.

RESPONSE [22]: We are not located in a "collocation hotel".

RESPONSE [23]: Not applicable.

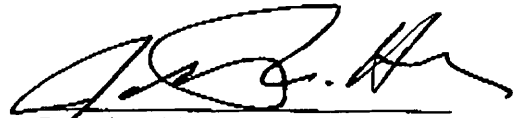
RESPONSE [24]: not applicable

RESPONSE [25]: We consider the availability of such facilities to reach a new customer and the cost of having them extended to the customer.

**"Production Requests"**

1. We have no such maps.
2. This request is incomprehensible.
3. We have no written business case.
4. We have no written business case.
5. We have no such documents.

This the 22<sup>nd</sup> day of December, 2003.



Jonathan V. Harlan, CEO

**Certificate of Service**

I certify that a true and accurate copy of this document and documents attached thereto was forwarded by US Mail, postage prepaid, to Guy M. Hicks and Joelle H. Phillips, BellSouth, 333 Commerce Street, Suite 2101, Nashville, TN 37201-3300, on this the 8<sup>th</sup> day of December, 2003.



Paul Rice, Attorney for Aeneas  
Communications, LLC BPR 011114;  
115 Old Humboldt Rd.  
Jackson, TN 38305  
(731) 554-9200 ext 235



BILL NO  
INVOICE NO  
BILL DATE  
ACNA AJE

901 N22-0025 025  
N220025025-03326  
NOV 22,2003  
PAGE 1

AENEAS COMM LLC  
P O BOX 277  
JACKSON TN 38302-0277

BILLING INQUIRIES CALL (800) 823-2455  
WEB ADDRESS: WWW.INTERCONNECTION.BELLSOUTH.COM

FOR TELCO USE:  
ICSC OFC 0005

BELLSOUTH FACILITY ACCESS SERVICE

\* \* \* BALANCE DUE INFORMATION \* \* \*

TOTAL AMOUNT OF LAST BILL

PAYMENTS APPLIED - SEE DETAIL

ADJUSTMENTS APPLIED - SEE DETAIL  
INTRASTATE  
LOCAL

TOTAL BALANCE DUE - SEE DETAIL . . . . .

\* \* \* DETAIL OF CURRENT CHARGES \* \* \*

TOTAL - TENNESSEE - 5185

MONTHLY ACCESS CHARGES  
FROM NOV 22 THRU DEC 21  
LOCAL

OTHER CHARGES AND CREDITS - SEE DETAIL  
LOCAL

TOTAL CURRENT CHARGES \* DUE BY DEC 22 \* . . . . .

TOTAL AMOUNT DUE



520269

ALLTEL COMMUNICATIONS, INC.

One Allied Drive  
Little Rock, AR 72202



**Stephen B. Rowell**  
*Sr. Vice President*  
*State Government Affairs*

501-905-8460  
501-905-4443 fax

December 23, 2003

Mr. Guy Hicks  
333 Commerce Street, Suite 2101  
Nashville, TN 37201-3300

Re: Tennessee Triennial Review Proceeding  
Docket No. 03-00527

Dear Mr. Hicks:

In response to your December 2, 2003 subpoena, in response to the above proceeding, please be advised that ALLTEL has no facilities either switching or transport within the State of Tennessee and currently provides no qualifying services within the State of Tennessee.

Please advise if you have any further questions, otherwise we will assume this satisfies your subpoena of December 2, 2003.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen B. Rowell".

Stephen B. Rowell

SBR:jw

Distribution:  
☒ Spalding  
☒ Hobbs  
☒ Phillips  
☐ Culpepper

☒ Lackey  
☐ Edenfield  
☐ Carver  
☐ Hogeman

☒ Shore  
Foshee  
Ellenberg

☒ Mays

618715

**TDS Telecom**  
**TENNESSEE REGULATORY AUTHORITY**  
**DOCKET No. 03-00527**  
**MATTERS UPON WHICH EXAMINATION IS REQUESTED**  
**PURSUANT TO T.C.A. § § 4-5-311 AND 65-2-102**

**Concord Telephone Exchange**

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e, any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached you own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample form for Response to Question 1									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Concord Telephone Exchange (Concord) does not provide qualifying service to any customers in BellSouth's service territory in Tennessee. Concord does not provide any type of service, or own any type of facilities outside of the state of Tennessee.**

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices to wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purpose of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have

Distribution:  
☒ Spalding  
☒ Hobbs  
☒ Phillips  
☒ Culpepper

☒ Lackey  
☒ Edenfield  
☒ Carver  
☒ Hogeman

☒ Shore

☒ Mays

Foshee  
Ellenberg

obtained on a unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample form for Response to Question 2									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Concord does not provide wholesale service to any customers in BellSouth's service territory in Tennessee. Concord does not provide any type of service outside the state of Tennessee.**

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

Sample form for Response to Question 3									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Concord has not acquired any type of wholesale service from any third parties in any states.**

4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
  - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (provide the full 11 character CLLI.)

- b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
- c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
- d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
- e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
- f. Whether you are able to immediately provide transport along the particular route.
- g. The capacity deployed and the capacity active on the route as of September 30, 2003.

**Response:**

N/A

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
  - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
  - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
  - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
  - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
  - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
  - f. Whether you are willing and able immediately to provide transport along the particular route.
  - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

**Response:**

N/A

6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
  - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
  - b. The name of the carrier or company from whom you received or purchased the transport;
  - c. Whether you are operationally ready to provide transport using these facilities; and
  - d. The capacity deployed and the capacity active on the route as of September 30, 2003.

**Response:**

N/A

7. If, in response to Question 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if you wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

**Response:**

**Concord does not have any type or form of wholesale operations.**

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to you customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.



**Response:**

**Concord does not provide retail service to any customers utilizing the arrangement described in this interrogatory. Concord does not provide any type of service outside the state of Tennessee.**

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nice Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

Sample form for Response to Question 11: 3 <sup>rd</sup> Party facilities leased for reselling as wholesale service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Concord does not provide wholesale service to any customers. Concord does not provide any type of service outside the state of Tennessee.**

12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
- The RSAG valid address of each customer location.
  - The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
  - Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
  - Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
  - Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to address such restrictions.

- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.

**Response:**

N/A

13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheet), identifying:
- a. The RSAG valid address of each customer location.
  - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
  - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
  - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
  - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
  - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc.).
  - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.

**Response:**

N/A

14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
- a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
  - b. The type of equipment and number of equivalent DSO channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).



- c. The transmission facilities and number of equivalent DSO channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).
- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 cross connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangements(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.

**Response:**

**Concord does not have any type of collocation in any BellSouth wire centers in any state.**

15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are operationally ready to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that my indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:

BST wire center → IXC POP → ← IXC POP → BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;

- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis over the transport facilities;
- g. Whether you are willing and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).

**Response:**

**Concord has not deployed the types of facilities described in this interrogatory in any state.**

16. For each central office/wire center identified in response to Interrogatory No. 15:

- a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
- b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.

**Response:**

N/A

17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC – points of presence (“POP”) should be identified:

BST wire center → IXC POP → ← IXC POP → BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are willing and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

**Response:**

**Concord does not provide wholesale service to any customers in BellSouth's service territory in Tennessee. Concord does not provide any type of service outside the state of Tennessee.**

17. For each central office/wire center identified in response to Interrogatory No. 16:

- a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
- b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.

**Response:**

**N/A**

18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.

**Response:**

**Concord does not have any type of facilities outside of the state of Tennessee. Concord's facilities do not extend past Concord's certified exchange boundary.**

19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.

**Response:**

**Concord does not have any type of facilities outside of the state of Tennessee. Concord's facilities do not extend past Concord's certified exchange boundary.**

20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer unites accessible in a multi-tenant building.

**Response:**

**Concord does not have any type of facilities outside of the state of Tennessee. Concord's facilities do not extend past Concord's certified exchange boundary.**

21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.

**Response:**

**Concord does not have any type of facilities outside of the state of Tennessee. Concord's facilities do not extend past Concord's certified exchange boundary.**

22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. Fore each such location state:
- a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
  - b. The type of equipment and number of equivalent DSO channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
  - c. The transmission facilities and number of equivalent DSO channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., Bell South UNEs, BellSouth special access, self provision, third party provision).

**Response:**

**Concord does not have any shared locations.**

23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.

- a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
- b. For each service identified in (a), list the average monthly revenue associated with each type of service.

**Response:**

**N/A**

24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:

- a. The RSAG valid address of the customer location;
- b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11-character CLLI);
- c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
- d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
- e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.

**Response:**

**Concord does not have any type of facilities outside of the state of Tennessee. Concord's facilities do not extend past Concord's certified exchange boundary.**

25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:

- a. pick up additional traffic;
- b. pick up additional or new customers;
- c. pick up additional or new buildings.

**Response:**

**Concord does not have any type of facilities outside of the state of Tennessee. Concord's facilities do not extend past Concord's certified exchange boundary.**

### **REQUESTS FOR PRODUCTION**

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.
2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
3. Produce any business case from 2000 to present to your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
4. Produce any business case from 2000 to present to your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

**Before the Tennessee Regulatory Authority**

In re: Implementation of the Federal Communication Commission’s Triennial Review Order (Nine-Month Proceeding) (Loops and Transport)

**Docket No. 03-00527**

Now comes Cricket Communications, Inc., successor-in-interest to Chase Telecommunications, Inc. and files its response to the Subpoena Duces Tecum for Deposition as follows:

1.

	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

2.

[illegible]

3.

	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm			\						
Deny	X	X	X	X	X	X	X	X	X

4. N/A

5. N/A

6. N/A

7. N/A

8.

[illegible]

9.

	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

10.

	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	' X	X	X



11.

	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

12. N/A

13. N/A

14. None

15. None

16. N/A

17. None

18. See attached network diagram.

19. See attached network diagram.

20. a. See attached network diagram.  
b. None  
c. None

21. None – all rings are leased from BellSouth.

22. None

23. N/A

24. None

25. A&B – The need for additional transport and loop facilities is driven by the amount of new cell sites required to achieve and maintain network quality.

### **Requests for Production**

See diagram attached to interrogatories

**Respectfully submitted,**

Cricket Communications, Inc.

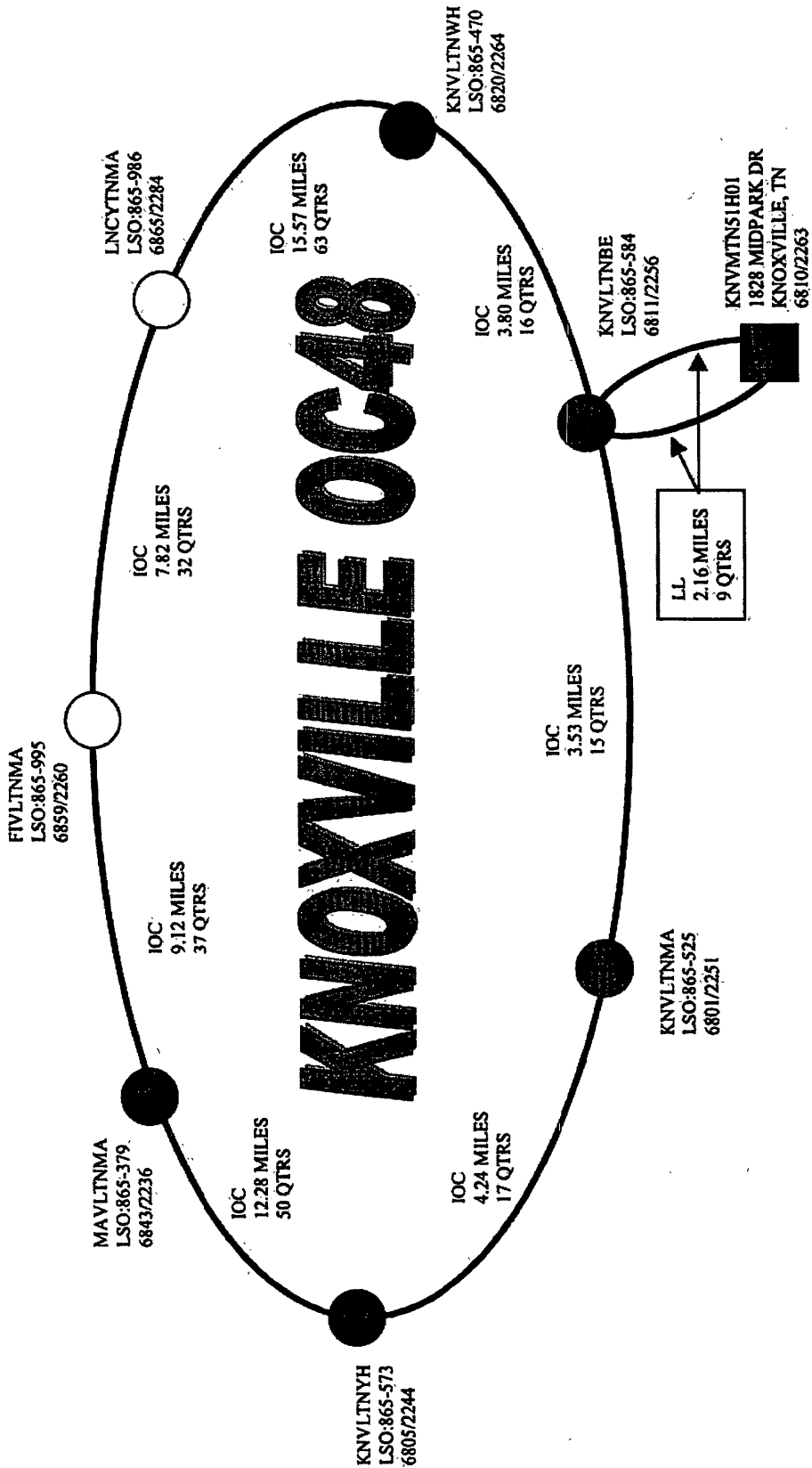
By: \_\_\_\_\_

Its: \_\_\_\_\_

**cricket**  
Comfortable Wireless

**BELLSOUTH**

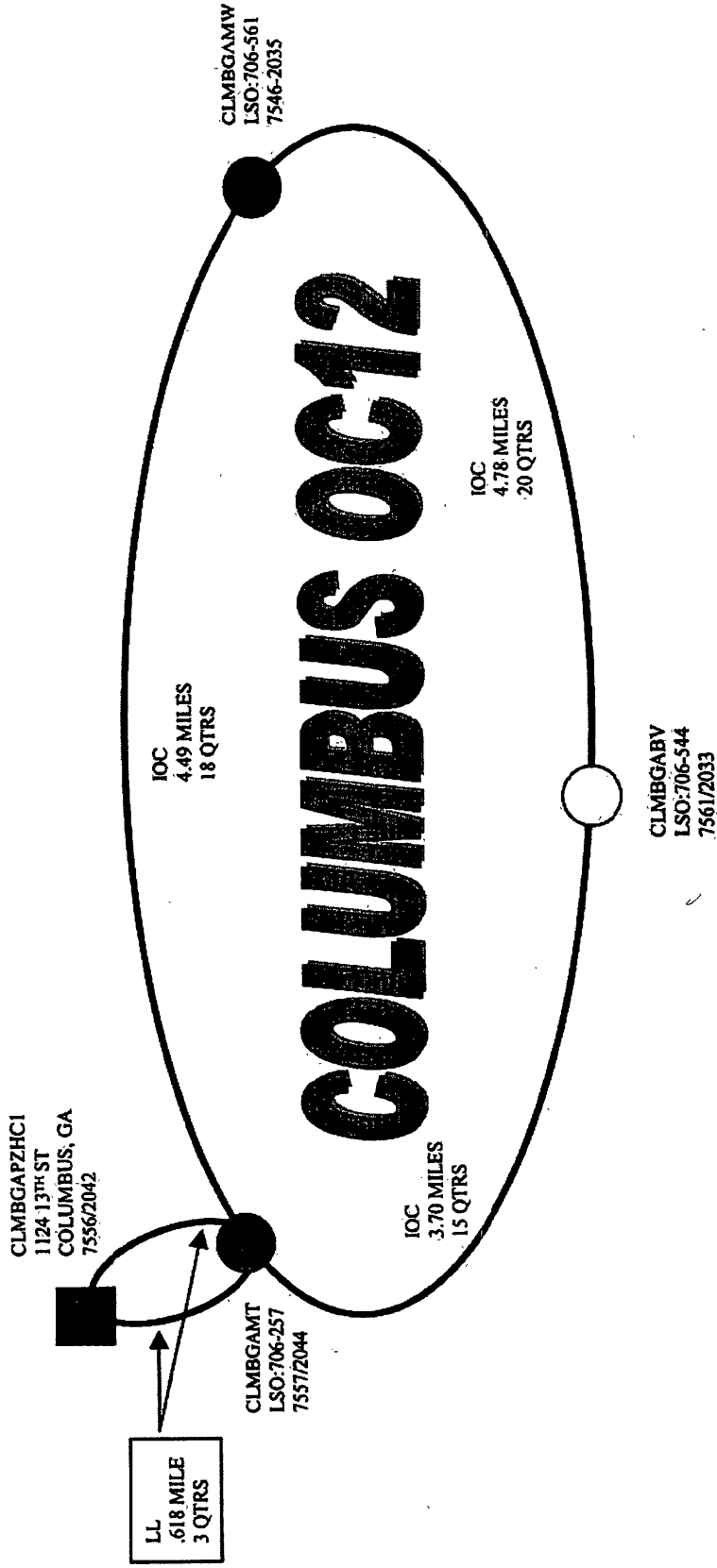
AS BILLED



**cricket**  
Comfortable Wireless.

 **BELLSOUTH**

AS BILLED



**cricket**  
Comfortable Wireless

AS BUILT



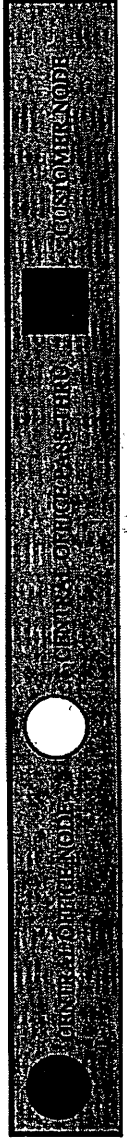
CLMBGAPZHC1  
1124 13<sup>TH</sup> ST  
COLUMBUS, GA  
7556/2042

CLMBGAMT  
LSO:706-257  
7557/2044

CLMBGAMW  
LSO:706-561  
7546-2035

CLMBGABV  
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7561/2033

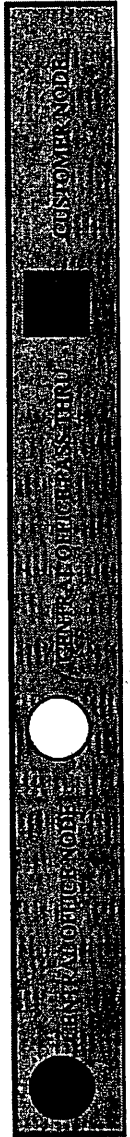
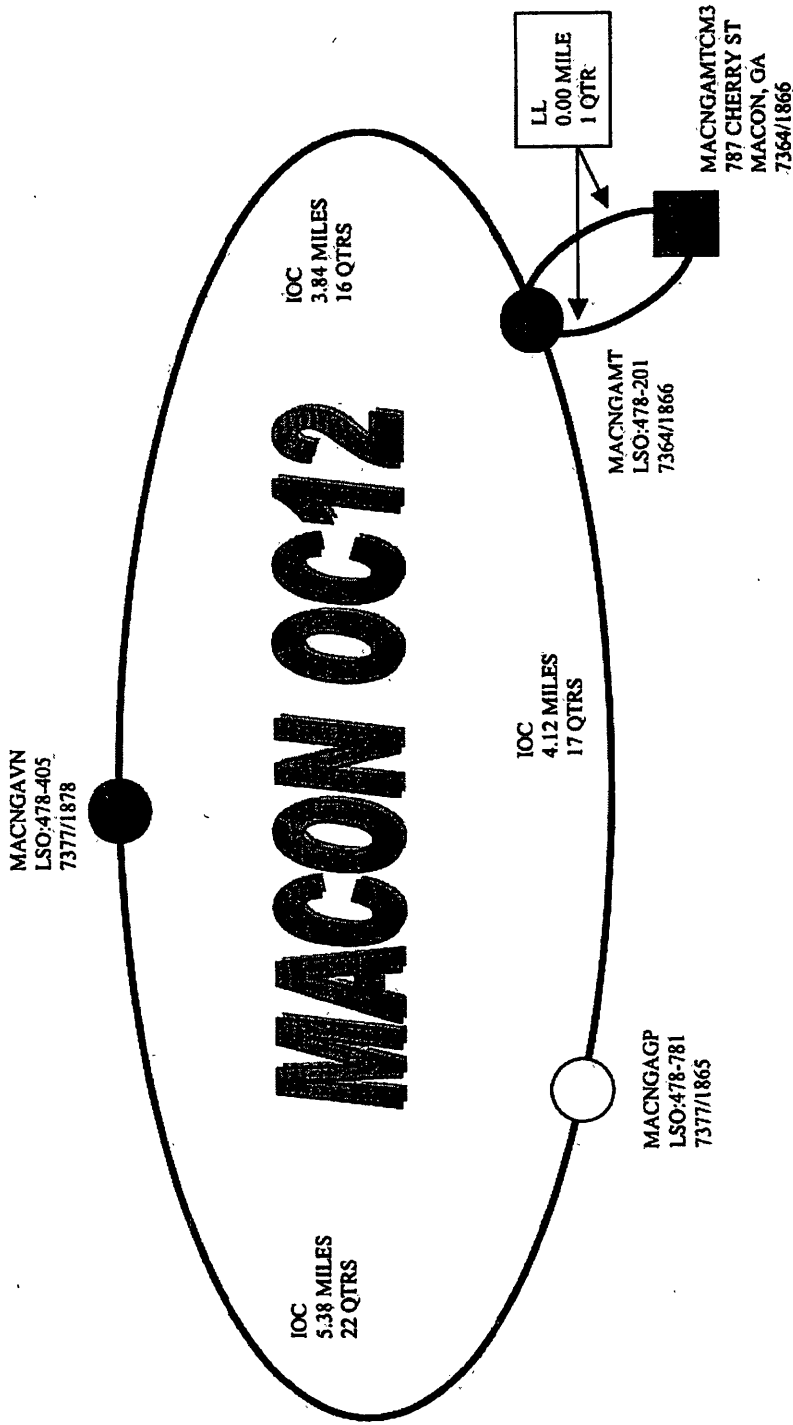
**COLUMBUS OC12**



**cricket**  
Comfortable Wireless

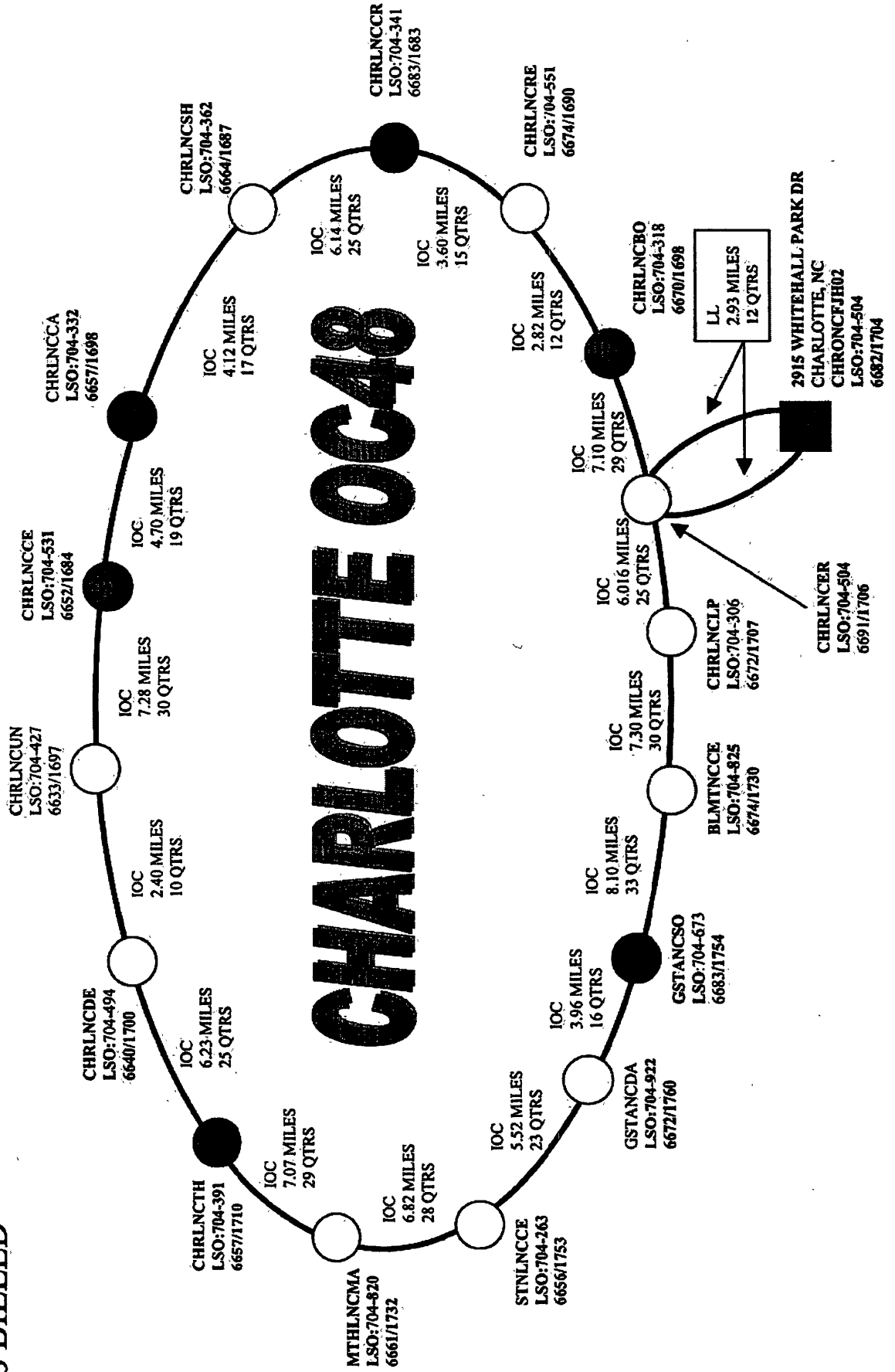
**BELLSOUTH**

AS BUILT/ BILLED



**cricket**  
Comfortable Wireless®

AS BILLED



## Jonathan Sox

---

**From:** Robert Irving  
**Sent:** Monday, December 29, 2003 4:56 PM  
**To:** Jonathan Sox  
**Subject:** FW: Circuit Termination charges billed- \$2.2M

Would you please:

1. Help Dan with the letter to SBC (Egan and SBC's atty; copy to Klyman) transmitting the order; explaining that based on our analysis we believe that the circuit termination charges are to be treated as pre-petition claims; noting that there may be some rights of offset which we are analyzing and will talk to them about in a week to ten days, and asking their lawyer to contact Robert Klyman if he has any authority to suggest that the circuit termination charges should be treated as post petition charges.

2. Explain to Dan that we need a chart of circuit termination charges by the specific corporation to whom the charge is owed; and a chart of pre-petition recip comp charges owed to us by the corporate corporation that owes the charges to us. Please work with Dan to get a timetable of when we can expect to see this chart.  
Thanks.

Rob

-----Original Message-----

**From:** Dan Graf  
**Sent:** Monday, December 29, 2003 4:34 PM  
**To:** Robert Irving; Jonathan Sox  
**Subject:** FW: Circuit Termination charges billed- \$2.2M

I think this is what your looking for (see ttached). One column is itemized by Region the other by LEC. Also, the SBC term charges are for the SBC Ameritech Region only.

-----Original Message-----

**From:** Fran Harding  
**Sent:** Thursday, December 11, 2003 2:58 PM  
**To:** Robert Irving  
**Cc:** Jonathan Sox; Stefan Kamavas; Doug Hutchieson; Glenn Umetsu; Dan Graf; Eddi Looy  
**Subject:** Circuit Termination charges billed- \$2.2M

Rob...per your voice mail request today to Dan G., attached is an analysis of circuit termination charges by region, by LEC/CLEC and a list of issues brought forth to date , by the carriers.

SBC termination charges are \$1M and they are refusing to pay an equal amount of pre-petition Reciprocal Compensation.

BROADWING - termination charges are \$.4M and they have already contacted you directly...

all other carriers are simply treating these costs as post petition delinquent invoices and running up monthly interest fees, etc.

**Definition-** termination charges=individual circuit termination costs+ excess recurring monthly circuit costs for circuits not terminated promptly per Cricket written instructions + interest charges for payment delinquency .

fran

Francis J. Harding  
Cricket Communications

858-882-6019 (w)  
760-473-8767 (m)  
858-882-6270 (fax)



December 15, 2003

Guy M. Hicks  
General Counsel  
BellSouth Telecommunications, Inc.  
333 Commerce Street, Suite 2101  
Nashville, TN 37201-3300

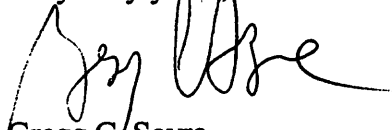
**RE: TN TRO Subpoenas**

Dear Mr. Hicks:

Confirming our conversation of December 12, 2003 and in response to your December 2, 2003 subpoena to Citizens Telecommunications Company:

1. Citizens Telecommunications Company, which has subsequently been renamed Frontier Communications of America, Inc. ("FCA"), holds TRA certification for intrastate long distance and CLEC services.
2. FCA provides intrastate long distance services as a reseller to end users located in the ILEC territories of the two Citizens ILECs -- Citizens Telecommunications Company of Tennessee L.L.C. ("CTC of Tennessee") and Citizens Telecommunications Company of the Volunteer State LLC ("CTC of the Volunteer State").
3. FCA currently has no CLEC operations in Tennessee, although FCA has requested interconnection negotiations with Ben Lomand Cooperative for the purpose of providing CLEC services in that cooperative's territory. FCA does not have any current plans to provide CLEC services in BellSouth's territory although it is certificated to do so and might decide to do so in the future.
4. Neither FCA, CTC of Tennessee, CTC of the Volunteer State, nor any of their affiliates provides retail or wholesale switching services in BellSouth's territory nor do they have any current plans to do so.

Very truly yours,

  
Gregg C. Sayre  
Associate General Counsel –  
Eastern Region

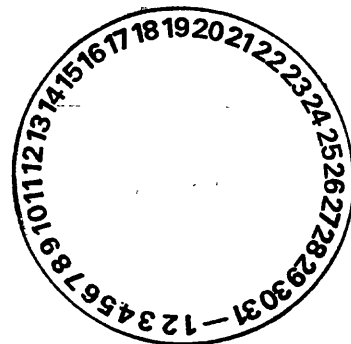
GCS: hmj

Distribution:  
☒ Spalding  
☒ Hobbs  
☒ Phillips  
Culpepper

☒ Lackey  
☒ Edenfield  
☒ Carver  
☒ Hogeman

☒ Shore  
Foshee  
Ellenberg

☒ Mays



518714

**TDS Telecom**  
**TENNESSEE REGULATORY AUTHORITY**  
**DOCKET No. 03-00527**  
**MATTERS UPON WHICH EXAMINATION IS REQUESTED**  
**PURSUANT TO T.C.A. §§ 4-5-311 AND 65-2-102**

**Humphrey's County Telephone Company**

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached you own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample form for Response to Question 1									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Humphrey's County Telephone Company (Humphrey's) does not provide qualifying service to any customers in BellSouth's service territory in Tennessee. Humphrey's does not provide any type of service, or own any type of facilities outside of the state of Tennessee.**

2. Affirm or deny that you offer to carriers on a wholesale basis DSL or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices to wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purpose of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on a unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using

Distribution:  
☒ Spalding  
☒ Hobbs  
☒ Phillips  
☒ Culpepper

☒ Lackey  
☒ Edenfield  
☒ Carver  
☒ Hogeman

☒ Shore

☒ Mays

Foshee  
Ellenberg

the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample form for Response to Question 2									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Humphrey's does not provide wholesale service to any customers in BellSouth's service territory in Tennessee. Humphrey's does not provide any type of service outside the state of Tennessee.**

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

Sample form for Response to Question 3									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Humphrey's has not acquired any type of wholesale service from any third parties in any states.**

4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
  - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (provide the full 11 character CLLI.)
  - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for

- the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
- c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
  - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
  - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
  - f. Whether you are able to immediately provide transport along the particular route.
  - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

**Response:**

N/A

5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
- a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
  - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
  - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
  - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
  - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
  - f. Whether you are willing and able immediately to provide transport along the particular route.
  - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

**Response:**

N/A

6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):

- a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
- b. The name of the carrier or company from whom you received or purchased the transport;
- c. Whether you are operationally ready to provide transport using these facilities; and
- d. The capacity deployed and the capacity active on the route as of September 30, 2003.

**Response:**

N/A

7. If, in response to Question 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if you wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

**Response:**

**Humphrey's does not have any type or form of wholesale operations.**

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to you customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample form for Response to Question 8: Self-provided facilities for providing retail service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Humphrey's does not provide the described service outside of its service area as certified by the Tennessee Regulatory Authority.**

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample form for Response to Question 9: Self-provided facilities offered on wholesale basis									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Humphrey's does not provide wholesale service to any customers in BellSouth's service territory in Tennessee. Humphrey's does not provide any type of service outside the state of Tennessee.**

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample Response Form-Question 10: 3 <sup>rd</sup> Party facilities leased for providing retail service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Humphrey's does not provide retail service to any customers utilizing the arrangement described in this interrogatory. Humphrey's does not provide any type of service outside the state of Tennessee.**

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

Sample form for Response to Question 11: 3 <sup>rd</sup> Party facilities leased for reselling as wholesale service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Humphrey's does not provide wholesale service to any customers. Humphrey's does not provide any type of service outside the state of Tennessee.**

12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
- The RSAG valid address of each customer location.
  - The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
  - Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
  - Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
  - Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to address such restrictions.
  - The capacity deployed and capacity activated to the specific location as of September 30, 2003.

**Response:**

N/A

13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheet), identifying:

- a. The RSAG valid address of each customer location.
- b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
- c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
- d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
- e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
- f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc.).
- g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.

**Response:**

N/A

14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
  - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
  - b. The type of equipment and number of equivalent DSO channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
  - c. The transmission facilities and number of equivalent DSO channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).
  - d. The amount of unused or excess space in each collocation space.
  - e. The number of active and inactive DS1 cross connects
  - f. The number of active and inactive DS3 cross connects
  - g. The number of active and inactive 2-fiber cross-connects
  - h. The number of active and inactive 4-fiber cross-connects.
  - i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.



- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangements(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.

**Response:**

**Humphrey's does not have any type of collocation in any BellSouth wire centers in any state.**

15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are operationally ready to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that my indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:

BST wire center → IXC POP → ← IXC POP → BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis over the transport facilities;
- g. Whether you are willing and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.

- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).

**Response:**

**Humphrey's has not deployed the types of facilities described in this interrogatory in any state.**

16. For each central office/wire center identified in response to Interrogatory No. 15:

- a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
- b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.

**Response:**

N/A

17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC – points of presence ("POP") should be identified:

BST wire center → IXC POP → ← IXC POP → BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;

- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are willing and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

**Response:**

**Humphrey's does not provide wholesale service to any customers in BellSouth's service territory in Tennessee. Humphrey's does not provide any type of service outside the state of Tennessee.**

17. For each central office/wire center identified in response to Interrogatory No. 16:

- a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
- b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.

**Response:**

**N/A**

18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.

**Response:**

**Humphrey's does not have any type of facilities outside of the state of Tennessee. Humphrey's facilities do not extend past Humphrey's certified exchange boundary.**

19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.

**Response:**

**Humphrey's does not have any type of facilities outside of the state of Tennessee. Humphrey's facilities do not extend past Humphrey's certified exchange boundary.**

20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer unites accessible in a multi-tenant building.

**Response:**

**Humphrey's does not have any type of facilities outside of the state of Tennessee. Humphrey's facilities do not extend past Humphrey's certified exchange boundary.**

21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.

**Response:**

**Humphrey's does not have any type of facilities outside of the state of Tennessee. Humphrey's facilities do not extend past Humphrey's certified exchange boundary.**

22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. Fore each such location state:
- a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
  - b. The type of equipment and number of equivalent DSO channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
  - c. The transmission facilities and number of equivalent DSO channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., Bell South UNEs, BellSouth special access, self provision, third party provision).

**Response:**

**Humphrey's does not have any shared locations.**

23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
- a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
  - b. For each service identified in (a), list the average monthly revenue associated with each type of service.

**Response:**

N/A

24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:

- a. The RSAG valid address of the customer location;
- b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11-character CLLI);
- c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
- d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
- e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.

**Response:**

**Humphrey's does not have any type of facilities outside of the state of Tennessee. Humphrey's facilities do not extend past Humphrey's certified exchange boundary.**

25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:

- a. pick up additional traffic;
- b. pick up additional or new customers;
- c. pick up additional or new buildings.

**Response:**

**Humphrey's does not have any type of facilities outside of the state of Tennessee. Humphrey's facilities do not extend past Humphrey's certified exchange boundary.**

## **REQUESTS FOR PRODUCTION**

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.
2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
3. Produce any business case from 2000 to present to your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
4. Produce any business case from 2000 to present to your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

# SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

THE WASHINGTON HARBOUR  
3000 K STREET, NW, SUITE 300  
WASHINGTON, DC 20007-5116  
TELEPHONE (202) 424-7500  
FACSIMILE (202) 424-7643  
WWW.SWIDLAW.COM

NEW YORK OFFICE  
THE CHRYSLER BUILDING  
405 LEXINGTON AVENUE  
NEW YORK, NY 10174  
TELEPHONE (212) 973-0111  
FACSIMILE (212) 891-9598

December 16, 2003

## VIA E-MAIL AND FIRST CLASS MAIL

Guy M. Hicks, Esq.  
General Counsel  
BellSouth Telecommunications, Inc.  
Suite 2101  
333 Commerce Street  
Nashville, TN 37201-3300



**Re: Implementation of the Federal Communications Commission's  
Triennial Review Order (Nine-Month Proceeding) (Loop &  
Transport) Docket No. 03-00527 - Depositions Scheduled for  
December 16, 2003**

Dear Mr. Hicks:

ICG Telecom Group, Inc. ("ICG"), through undersigned counsel, hereby provides its Objections to BellSouth Telecommunications, Inc.'s identification of matters upon which examination is requested in BellSouth's Subpoena Duces Tecum for Deposition in the above-referenced proceeding. These objections are preliminary in nature and ICG reserves the right to raise additional objections to the individual requests at the time ICG provides its responses.

ICG is working diligently to prepare information responsive to the matters for examination, and will provide such information as soon as it is available.

ICG makes the following general objections to the matters upon which examination is requested:

1. ICG objects to the individual matters in BellSouth's request to the extent that they are overly broad, unduly burdensome, and/or oppressive.
2. ICG objects to the individual matters in BellSouth's request to the extent they seek information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. By way of illustration and not limitation, ICG objects to interrogatories that

seek information that is unrelated to or inconsistent with the methodology and parameters of the analysis of impairment prescribed by the FCC in its Triennial Review Order.

3. ICG objects to the individual matters in BellSouth's request to the extent they are vague, ambiguous, imprecise, or utilize terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these Requests.

4. ICG objects to the individual matter of BellSouth's request to the extent that they purport to impose discovery obligations on ICG that exceed the scope of discovery allowed by the applicable Tennessee Rules of Civil Procedure and the Authority's Rules.

5. ICG objects to BellSouth's request to the extent that it seeks discovery of materials and/or information protected by the work product doctrine, the accountant/client privilege, by the attorney/client any other applicable privilege.

6. ICG objects to BellSouth's request to the extent that it would require disclosure of information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed (provided the information is otherwise discoverable) only pursuant to the terms of a mutually acceptable confidentiality agreement and use of the Commission's rules and procedures relating to confidential and proprietary information.

7. ICG objects to BellSouth's request to the extent that it would require ICG to provide information which is already in BellSouth's possession (as a consequence, for instance, of the billing information BellSouth uses to submit bills to ICG), or is in the public record before the Commission. To duplicate information that BellSouth already has or is readily available to BellSouth would be unduly burdensome and oppressive.

8. ICG objects to BellSouth's request to the extent BellSouth seeks to impose an obligation on ICG to respond on behalf of subsidiaries and/or former officers, employees, agents, and directors on the grounds that such requests for production are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

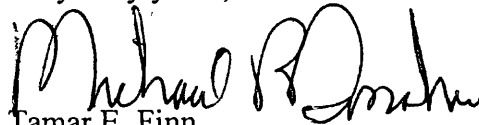
9. ICG objects to the request for documents reflecting ICG's ownership and use of switches to the extent that it is vague, ambiguous, and unclear and is therefore overly broad and unduly burdensome.



Guy M. Hicks, Esq.  
December 16, 2003  
Page 3

Should you have any questions concerning this matter, please do not hesitate to contact us.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael P. Donahue". The signature is fluid and cursive, with the first name "Michael" being more prominent.

Tamar E. Finn

Michael P. Donahue

Counsel for ICG Telecom Group, Inc.

cc: Scott E. Beer  
Andrea Guzman

**BellSouth Telecommunications, Inc.**

333 Commerce Street  
Suite 2101  
Nashville, TN 37201-3300

guy.hicks@bellsouth.com

**Guy M. Hicks**  
General Counsel

615 214 6301  
Fax 615 214 7406

December 11, 2003

Nanette S. Edwards, Esquire  
ITC^DeltaCom  
4092 South Memorial Parkway  
Huntsville, AL 35802

Re: *Implementation of the Federal Communications Commission's  
Triennial Review Order (Nine-month Proceeding) (Loop & Transport)*  
Docket No. 03-00527

Dear Nanette:

This is to confirm that BellSouth is withdrawing the subpoena it issued to Interstate FiberNet, Inc. in the Loop & Transport docket, based on the statement you previously provided indicating that DeltaCom's responses to BellSouth's discovery in this docket included responsive information for Interstate FiberNet, Inc. You stated that Interstate FiberNet, Inc. is the parent of DeltaCom. Thank you.

Very truly yours,



Guy M. Hicks

GMH:ch

cc: Meredith Mays  
William Ellenberg

521804

WALLER LANSDEN DORTCH & DAVIS

A PROFESSIONAL LIMITED LIABILITY COMPANY

NASHVILLE CITY CENTER  
511 UNION STREET, SUITE 2100

POST OFFICE BOX 198966  
NASHVILLE, TENNESSEE 37219-8966

(615) 244-6380

FAX: (615) 244-6804

www.wallerlaw.com

WALLER LANSDEN DORTCH & DAVIS, LLP  
AFFILIATED WITH THE PROFESSIONAL LIMITED LIABILITY COMPANY  
520 SOUTH GRAND AVENUE, SUITE 800  
LOS ANGELES, CALIFORNIA 90071  
(213) 362-3680

D. Billye Sanders  
(615) 850-8951  
bsanders@wallerlaw.com

WALLER LANSDEN DORTCH & DAVIS  
A PROFESSIONAL LIMITED LIABILITY COMPANY  
809 SOUTH MAIN STREET  
POST OFFICE BOX 1035  
COLUMBIA, TENNESSEE 38402-1035  
(931) 388-6031

January 12, 2004

VIA HAND DELIVERY

BellSouth Telecommunications, Inc.  
333 Commerce Street, Suite 2101  
Nashville, TN 37201-3300  
Attn: Guy M. Hicks, General Counsel

Re: Implementation of the Federal Communications Triennial  
Review Order (Nine-Month Preceding) (Loop & Transport)  
Docket Number 03-00527  
Subpoena Duces Tecum For Deposition Issued to Tennessee  
Independent Telecommunications Group, LLC d/b/a Iris  
Networks by the Tennessee Regulatory Authority at the request  
of BellSouth.

Dear Guy:

Thank you for agreeing to move Iris Networks' response date from  
December 30, 2003 to January 12, 2004. Enclosed you will find Iris Network's  
Responses to the Subpoena. As indicated in the responses, Iris is in the long-haul  
transport business on a wholesale basis and does not provide any transport routes  
that connect any BellSouth central offices. Thus, the network of Iris Networks is  
not probative of the issues that the Tennessee Regulatory Authority must decide in  
this docket.

Sincerely,



D. Billye Sanders  
Attorney for Iris Networks

cc: Richard Collier, General Counsel TRA  
Ellen Bryson

Distribution:  
☒ Spalding  
☒ Hobbs  
☒ Phillips  
☐ Culpepper

☒ Lackey  
☐ Edenfield  
☐ Carver  
☐ Hogeman

☒ Shore

☒ Mays

Foshee  
Ellenberg

**MATTERS UPON WHICH EXAMINATION IS REQUESTED**  
**PURSUANT TO T.C.A. SS 4-5-311 and 65-2-102**

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251(c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample Form for Response to Question 1									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251(c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Form for Response to Question 2									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251(c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

**RESPONSE:**

Response to Question 3									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:

- a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
- b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251(c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
- c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
- d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
- e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis, (Yes, No)
- f. Whether you are able to immediately provide transport along the particular route.
- g. The capacity deployed and the capacity active on the route as of September 30, 2003.

**RESPONSE:** Not applicable.

5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:

- a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
- b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251(c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
- c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
- d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
- e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
- f. Whether you are willing and able immediately to provide transport along the particular route.
- g. The capacity deployed and the capacity active on the route as of September 30, 2003.

**RESPONSE:** Not applicable.

6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):

- a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
- b. The name of the carrier or company from whom you received or purchased the transport;
- c. Whether you are operationally ready to provide transport using these facilities; and
- d. The capacity deployed and the capacity active on the route as of September 30, 2003.

**RESPONSE:** Not applicable.

7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

**RESPONSE:** Iris Networks is in the long-haul transport business on a wholesale basis. In providing this transport Iris Networks does not provide any transport routes that connect any BellSouth wire centers. Iris is currently not collocated in any BellSouth central offices.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

**RESPONSE:**

Question 8									
Self-provided facilities for providing retail services									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

**RESPONSE:**

Response - Question 9									
Self-provided facilities offered on wholesale basis									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

**RESPONSE:**

Response -Question 10: 3 <sup>rd</sup> Party facilities leased for providing retail service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

**RESPONSE:**

Response -Question 11									
3 <sup>rd</sup> Party facilities leased for reselling as wholesale service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:



- a. The RSAG valid address of each customer location.
- b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
- c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities,
- d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
- e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.

**RESPONSE:** Not applicable.

13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:

- a. The RSAG valid address of each customer location.
- b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
- c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
- d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
- e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.

- f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc.).
- g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.

**RESPONSE:** Not applicable.

14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:

- a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth.
- b. The type of equipment and number of equivalent DSO channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
- c. The transmission facilities and number of equivalent DSO channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).
- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects.
- f. The number of active and inactive DS3 Cross-connects.
- g. The number of active and inactive 2-fiber cross-connects.
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.

**RESPONSE:** None.

15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are operationally ready to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth

central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide, information about facilities that may indirectly provide transport along & route, for example, using the diagram below, the IXC transport route should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate.
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement.
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth.
- e. The total active capacity and number of fiber strands deployed as of the most recent date available.
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities.
- g. Whether you are willing and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate.
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement.
- d. The total active capacity and number of fiber strands deployed as of the most recent date available.
- e. The type of facility (e.g., fiber, coaxial cable, etc.).

**RESPONSE:** None.

16. For each central office/wire center identified in response to Interrogatory No. 15:

- a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?

- b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.

**RESPONSE:** Not applicable.

17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC - points of presence ("POP") should be identified:

BST wire center → IXC POP ← → IXC POP → BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate.
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement.
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth.
- e. The total active capacity and number of fiber strands deployed as of the most recent date available.
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities.
- g. Whether you are willing and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities.
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

**RESPONSE:** None.

17. For each central office/wire center identified in response to Interrogatory No. 16:

- a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the

wire central office/wire center identified and any other ILEC wire center on the same list?

- b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.

**RESPONSE:** Not applicable.

18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.

**RESPONSE:** Iris Networks owns no local loop facilities.

19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.

**RESPONSE:** Iris Networks owns no local loop facilities.

20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.

**RESPONSE:** (a) Iris Networks objects to this question on the grounds that is not reasonably calculated to lead to the discovery of admissible evidence. Iris Networks does not connect to any BellSouth Central Offices, nor does it serve any retail customers. Iris' network is strictly used for long-haul transport services. Since long-haul transport services of the type that Iris Networks offers are not subject any granularity tests under the Triennial Review Order of the Federal Communications Commission, the location of fiber rings and multiplexers on its network are not relevant to the issues in this proceeding. Further the information is proprietary for competitive, safety and security reasons and the Protective Order issued in this docket is not adequate to protect the information from disclosure.

(b) None.

(c) None.

21. Provide a list of all fiber rings In the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or

comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.

**RESPONSE:** Iris Networks objects to this question on the grounds that is not reasonably calculated to lead to the discovery of admissible evidence. Iris Networks does not connect to any BellSouth Central Offices, nor does it serve any retail customers. Iris' network is strictly used for long-haul transport services. Since long-haul transport services of the type that Iris Networks offers are not subject any granularity tests under the Triennial Review Order of the Federal Communications Commission, the location of fiber rings and multiplexers on its network are not relevant to the issues in this proceeding. Further the information is proprietary for competitive, safety and security reasons and the Protective Order issued in this docket is not adequate to protect the information from disclosure.

22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:

- a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual).
- b. The type of equipment and number of equivalent DSO channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
- c. The transmission facilities and number of equivalent DSO channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

**RESPONSE:** Iris Networks objects to this question on the grounds that is not reasonably calculated to lead to the discovery of admissible evidence. Iris Networks does not connect to any BellSouth Central Offices, nor does it serve any retail customers. Iris' network is strictly used for long-haul transport services. Since long-haul transport services of the type that Iris Networks offers are not subject any granularity tests under the Triennial Review Order of the Federal Communications Commission, the information requested regarding Iris' network is not relevant to the issues in this proceeding. Further the information is proprietary for competitive, safety and security reasons and the Protective Order issued in this docket is not adequate to protect the information from disclosure.

23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.

- a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
- b. For each service identified in (a), list the average monthly revenue associated with each type of service.

**RESPONSE:** Not applicable, Iris Networks does not offer services to end users.

24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:

- a. The RSAG valid address of the customer location;
- b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11-character CLLI);
- c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
- d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
- e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.

**RESPONSE:** Iris Networks objects to this question on the grounds that is not reasonably calculated to lead to the discovery of admissible evidence. Iris Networks does not connect to any BellSouth Central Offices, nor does it serve any retail customers. Iris' network is strictly used for long-haul transport services. Since long-haul transport services of the type that Iris Networks offers are not subject any granularity tests under the Triennial Review Order of the Federal Communications Commission, the information requested regarding Iris' network is not relevant to the issues in this proceeding. Further the information is proprietary for competitive, safety and security reasons and the Protective Order issued in this docket is not adequate to protect the information from disclosure.

25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:

- a. pick up additional traffic;
- b. pick up additional or new customers;
- c. pick up additional or new buildings.

**RESPONSE:** Iris Networks objects to this question on the grounds that is not reasonably calculated to lead to the discovery of admissible evidence. Iris Networks does not connect to any BellSouth Central Offices, nor does it serve any retail customers. Iris' network is strictly used for long-haul transport services. Since long-haul transport services of the type that Iris Networks offers are not subject any granularity tests under the Triennial Review Order of the Federal Communications Commission, the information requested regarding Iris' network is not relevant to the issues in this proceeding. Further the information is proprietary for competitive, safety and security reasons and the Protective Order issued in this docket is not adequate to protect the information from disclosure.

### **REQUESTS FOR PRODUCTION**

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

**RESPONSE:** Iris Networks objects to this production of these documents on the grounds that is not reasonably calculated to lead to the discovery of admissible evidence. Iris Networks does not connect to any BellSouth Central Offices, nor does it serve any retail customers. Iris' network is strictly used for long-haul transport services. Since long-haul transport services of the type that Iris Networks offers are not subject any granularity tests under the Triennial Review Order of the Federal Communications Commission, the information requested regarding Iris' network is not relevant to the issues in this proceeding. Further the information is proprietary for competitive, safety and security reasons and the Protective Order issued in this docket is not adequate to protect the information from disclosure.

2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.

**RESPONSE:** None.

3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.



**RESPONSE:** Iris Networks objects to this production of these documents on the grounds that is not reasonably calculated to lead to the discovery of admissible evidence. Iris Networks does not connect to any BellSouth Central Offices, nor does it serve any retail customers. Iris' network is strictly used for long-haul transport services. Since long-haul transport services of the type that Iris Networks offers are not subject any granularity tests under the Triennial Review Order of the Federal Communications Commission, the information requested regarding Iris' network is not relevant to the issues in this proceeding. Further the information is proprietary for competitive, safety and security reasons and the Protective Order issued in this docket is not adequate to protect the information from disclosure.

4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.

**RESPONSE:** Iris Networks objects to this production of these documents on the grounds that is not reasonably calculated to lead to the discovery of admissible evidence. Iris Networks does not connect to any BellSouth Central Offices, nor does it serve any retail customers. Iris' network is strictly used for long-haul transport services. Since long-haul transport services of the type that Iris Networks offers are not subject any granularity tests under the Triennial Review Order of the Federal Communications Commission, the information requested regarding Iris' network is not relevant to the issues in this proceeding. Further the information is proprietary for competitive, safety and security reasons and the Protective Order issued in this docket is not adequate to protect the information from disclosure.

5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

**RESPONSE:** Iris Networks objects to this production of these documents on the grounds that is not reasonably calculated to lead to the discovery of admissible evidence. Iris Networks does not connect to any BellSouth Central Offices, nor does it serve any retail customers. Iris' network is strictly used for long-haul transport services. Since long-haul transport services of the type that Iris Networks offers are not subject any granularity tests under the Triennial Review Order of the Federal Communications Commission, the information requested regarding Iris' network is not relevant to the issues in this proceeding. Further the information is proprietary for competitive, safety and security reasons and the Protective Order issued in this docket is not adequate to protect the information from disclosure.

## DEFINITIONS

1. "You" and "your" refers to Tennessee Independent Telecommunications Group, LLC d/b/a Iris Networks as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Tennessee Independent Telecommunications Group, LLC d/b/a Iris Networks.

2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person who (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).

3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities,

5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.

6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.

7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.

8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.

9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.

10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.

11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.

13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.

14. "ILEC CO" refers to BellSouth central offices.

15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.

16. "ILEC" refers to BellSouth.

17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

#### **LIST OF PARTIES TO THIS PROCEEDING**

Access Integrated Networks, Inc.  
AT&T Communications of the South Central States, LLC  
Birch Telecom of the South, Inc.  
Brooks Fiber Communications of Tennessee, Inc.  
Business Telecom, Inc.  
Cinergy Communications Company  
Citizens Telecommunications Company of Tennessee, LLC  
Competitive Carriers of the South, Inc.  
DIECA Communications, Inc, dba Covad Communications Company  
ITC DeltaCom Communications of the South Central States, Inc.  
Electric Power Board of Chattanooga  
IDS Telecom, LLC  
KMC Telecom III, LLC  
MCI WorldCom Communications, Inc.  
MCI metro Access Transmission Services, LLC  
Network Telephone Corporation  
NewSouth Communications Corp.  
Nuvox Communications, Inc.

Qwest Communications, Inc.  
Sprint Communications Company, LP  
TalkAmerica, Inc.  
Time Warner Telecommunications of the MidSouth, LLC  
United Telephone-Southeast, Inc.  
Xspedius Communications  
Z-Tel Communications

**Hanesworth, Carolyn**

524807

**From:** McVeigh, Robin R. [rmcveigh@mcleodusa.com]  
**Sent:** Thursday, January 29, 2004 10:28 AM  
**To:** Hanesworth, Carolyn  
**Cc:** Courter, William H.  
**Subject:** McLeodUSA Response to BellSouth's Data Requests

Carolyn - thank you for your reminder phone call to me this morning. Per our conversation I am sending this email to you to let you know that in response to BellSouth's requests to us in Case No. 0300527, McLeodUSA states:

McLeodUSA currently does not provide local service to any Tennessee end users. McLeodUSA has no lit fiber anywhere in Tennessee, however we do have some dark fiber within the state. Also, there are some sites that McLeodUSA purchased, for the National Network. These sites are on a list that we are currently marketing for sale. McLeodUSA has no intentions to wholesale out any dark fiber.

Please let me know if you have any further questions.

~Robin McVeigh  
Legal Assistant  
McLeodUSA  
(V) 319.790.6823  
(F) 319.790.7901

**NOTICE: This electronic mail transmission may contain confidential information and is intended only for the person(s) named. Any use, copying or disclosure by any other person is strictly prohibited. If you have received this transmission in error, please notify the sender via e-mail.**

1/29/2004



2525 West End Avenue, Suite 1500  
Nashville, Tennessee 37203-1423  
615.244.0020  
Fax: 615.256.1726

John Knox Walkup  
615.251.6713  
kwalkup@wyattfirm.com

578901

December 12, 2003

Via Facsimile 214.7406

Carolyn Hanesworth  
BellSouth Telecommunications, Inc.  
Suite 2101  
333 Commerce Street  
Nashville, TN 37201-3300

RE: Subpoena Duces Tecum  
Docket No. 03-00527

Dear Ms. Hanesworth:

This will confirm your voice mail message, after consultation with William Ellenberg, that Memphis Network, LLC has until December 23, 2003, to provide the information requested in the subpoena by BellSouth. Thank you very much for the one-week extension beyond the December 16, 2003 date contained in the December 2, 2003 notice.

Sincerely,

A handwritten signature in black ink, appearing to read "John Knox Walkup". The signature is stylized with a large, sweeping "J" and "K".

John Knox Walkup

JKW/par

cc: Charles Elliott, via facsimile, 901.371.0829

45256285.1

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www.wyattfirm.com

250 West Main Street, Suite 1600  
Lexington, KY 40507-1746  
859 233 2012

918 State Street  
Bowling Green, KY 42101  
270.842 1050

1715 Aaron Brenner Drive, Suite 800  
Memphis, TN 38120-4367  
901 537 1000

500 West Jefferson Street, Suite 2800  
Louisville, KY 40202-2898  
502 589.5235

311 West Main Street  
Frankfort, KY 40601-1807  
502 223.2104

2525 West End Avenue, Suite 1500  
Nashville, TN 37203 1423  
615 244 0020

101 West Spring Street, Suite 500  
New Albany, IN 47150-3610  
812 945 3561

December 12, 2003

SENT BY OVERNIGHT MAIL

Guy M. Hicks  
General Counsel  
BellSouth Telecommunications Inc.  
Suite 2101  
333 Commerce Street  
Nashville, TN 37201-3300

Re: *Implementation of the Federal Communications Commission's Triennial Review Order(Nine-month Proceeding)(Loop & Transport)*  
Docket No. 03-00527

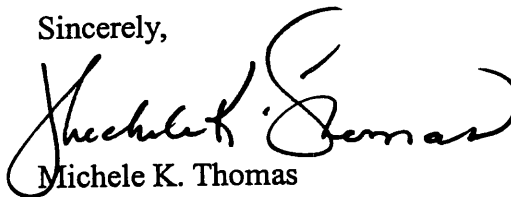
Dear Mr. Hicks:

T-Mobile USA Inc. ("T-Mobile") is in receipt of your letter dated December 2, 2003, wherein you transmit a copy of a Subpoena *Duces Tecum* ("Subpoena") for deposition signed by Richard Collier, General Counsel of the Tennessee Regulatory Authority ("TRA").

Please be advised that T-Mobile provides commercial mobile radio services in the State of Tennessee via licenses provided by the Federal Communications Commission. These mobile services are expressly excluded from the jurisdiction of the TRA; and therefore, no response in regards to this subpoena will be forthcoming.

If you should have any questions in regards to this matter, please do not hesitate to contact me at (240)264-8681.

Sincerely,



Michele K. Thomas  
Corporate Counsel

T-Mobile USA, Inc.  
Office: (240) 264-8600  
Fax: (240) 264-8610  
12050 Baltimore Avenue  
Beltsville, MD 20705

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Foshee  
Ellenberg



517830

**Teligent, Inc.**  
460 Herndon Parkway, Suite 100  
Herndon, Virginia 20170  
voice: 703 326 4400  
fax: 703 326.4500  
<http://www.teligentinc.com>

December 9, 2003

VIA OVERNIGHT MAIL

Ms. Carolyn Hanesworth  
BellSouth Telecommunications, Inc.  
Suite 2101  
333 Commerce Street  
Nashville, TN 37201-3300

RE: Docket No. 03-00527 – Implementation of Federal Communications Commission's  
Triennial Review Order

Dear Ms. Hanesworth:

Pursuant to your subpoena dated December 2, 2003, Teligent Services, Inc. ("Teligent") hereby submits the following response to the above-referenced Docket No.

Teligent emerged from Chapter 11 bankruptcy protection on September 12, 2002. As a result of its approximate 18-month Chapter 11 status, Teligent no longer provides facilities-based local exchange or long distance services anywhere in Tennessee. Teligent merely resells long distance service of an underlying carrier. More importantly to this Docket, Teligent does not own or operate switching facilities in Tennessee nor does it lease unbundled network elements (UNEs). As such, it has no information responsive to the above-referenced Docket No. To that end, Teligent respectfully requests dismissal from Docket No. 03-00527.

Should you have any questions regarding this matter, please feel free to contact the undersigned at 703.326.4496 or <mailto:jennifer.martin@teligent.com>.

Sincerely,

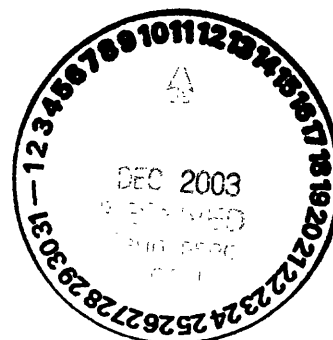
Jennifer Martin  
Manager, Regulatory Affairs  
Teligent Legal Department

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☐ Hogeman

☒ Shore  
Foshee  
Ellenberg

☒ Mays





**TDS Telecom**  
**TENNESSEE REGULATORY AUTHORITY**  
**DOCKET No. 03-00527**  
**MATTERS UPON WHICH EXAMINATION IS REQUESTED**  
**PURSUANT TO T.C.A. §§ 4-5-311 AND 65-2-102**

**Tellico Telephone Company**

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e. any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached you own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample form for Response to Question 1									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Tellico Telephone Company (Tellico) does not provide qualifying service to any customers in BellSouth's service territory in Tennessee. Tellico does not provide any type of service, or own any type of facilities outside of the state of Tennessee.**

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices to wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purpose of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on a unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to

Distribution:  
☒ Spalding  
☒ Hobbs  
☒ Phillips  
☐ Culpepper

☒ Lackey  
☐ Edenfield  
☐ Carver  
☐ Hogeman

☒ Shore

☒ Mays

Foshee  
 Ellenberg

special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample form for Response to Question 2									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Tellico does not provide wholesale service to any customers in BellSouth's service territory in Tennessee. Tellico does not provide any type of service outside the state of Tennessee.**

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

Sample form for Response to Question 3									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Tellico has not acquired any type of wholesale service from any third parties in any states.**

4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
  - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (provide the full 11 character CLLI.)
  - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.

- c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
- d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
- e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
- f. Whether you are able to immediately provide transport along the particular route.
- g. The capacity deployed and the capacity active on the route as of September 30, 2003.

**Response:**

N/A

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
  - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
  - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
  - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
  - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
  - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
  - f. Whether you are willing and able immediately to provide transport along the particular route.
  - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

**Response:**

N/A

- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):

- a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
- b. The name of the carrier or company from whom you received or purchased the transport;
- c. Whether you are operationally ready to provide transport using these facilities; and
- d. The capacity deployed and the capacity active on the route as of September 30, 2003.

**Response:**

N/A

7. If, in response to Question 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if you wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

**Response:**

**Tellico does not have any type or form of wholesale operations.**

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to you customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample form for Response to Question 8: Self-provided facilities for providing retail service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Tellico does not provide the described service outside of its service area as certified by the Tennessee Regulatory Authority.**

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample form for Response to Question 9: Self-provided facilities offered on wholesale basis									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Tellico does not provide wholesale service to any customers in BellSouth's service territory in Tennessee. Tellico does not provide any type of service outside the state of Tennessee.**

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample Response Form-Question 10: 3 <sup>rd</sup> Party facilities leased for providing retail service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Tellico does not provide retail service to any customers utilizing the arrangement described in this interrogatory. Tellico does not provide any type of service outside the state of Tennessee.**

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

Sample form for Response to Question 11: 3 <sup>rd</sup> Party facilities leased for reselling as wholesale service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Tellico does not provide wholesale service to any customers. Tellico does not provide any type of service outside the state of Tennessee.**

12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
- The RSAG valid address of each customer location.
  - The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
  - Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
  - Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
  - Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to address such restrictions.
  - The capacity deployed and capacity activated to the specific location as of September 30, 2003.

**Response:**

N/A

13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheet), identifying:
- The RSAG valid address of each customer location.

- b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
- c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
- d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
- e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
- f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc.).
- g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.

**Response:**

N/A

14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
- a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
  - b. The type of equipment and number of equivalent DSO channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
  - c. The transmission facilities and number of equivalent DSO channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).
  - d. The amount of unused or excess space in each collocation space.
  - e. The number of active and inactive DS1 cross connects
  - f. The number of active and inactive DS3 cross connects
  - g. The number of active and inactive 2-fiber cross-connects
  - h. The number of active and inactive 4-fiber cross-connects.
  - i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.

- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangements(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.

**Response:**

**Tellico does not have any type of collocation in any BellSouth wire centers in any state.**

15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are operationally ready to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that my indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:

BST wire center → IXC POP → ← IXC POP → BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis over the transport facilities;
- g. Whether you are willing and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.



- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).

**Response:**

**Tellico has not deployed the types of facilities described in this interrogatory in any state.**

16. For each central office/wire center identified in response to Interrogatory No. 15:

- a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
- b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.

**Response:**

**N/A**

17. Provide a list of all BellSouth wire centers and./or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC – points of presence (“POP”) should be identified:

BST wire center → IXC POP → ← IXC POP → BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;

- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are willing and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

**Response:**

**Tellico does not provide wholesale service to any customers in BellSouth's service territory in Tennessee. Tellico does not provide any type of service outside the state of Tennessee.**

17. For each central office/wire center identified in response to Interrogatory No. 16:

- a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
- b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.

**Response:**

**N/A**

18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.

**Response:**

**Tellico does not have any type of facilities outside of the state of Tennessee. Tellico's facilities do not extend past Tellico's certified exchange boundary.**

19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.

**Response:**

**Tellico does not have any type of facilities outside of the state of Tennessee. Tellico's facilities do not extend past Tellico's certified exchange boundary.**

20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer unites accessible in a multi-tenant building.

**Response:**

**Tellico does not have any type of facilities outside of the state of Tennessee. Tellico's facilities do not extend past Tellico's certified exchange boundary.**

21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.

**Response:**

**Tellico does not have any type of facilities outside of the state of Tennessee. Tellico's facilities do not extend past Tellico's certified exchange boundary.**

22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. Fore each such location state:
- The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
  - The type of equipment and number of equivalent DSO channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
  - The transmission facilities and number of equivalent DSO channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., Bell South UNEs, BellSouth special access, self provision, third party provision).

**Response:**

**Tellico does not have any shared locations.**

23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
- List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
  - For each service identified in (a), list the average monthly revenue associated with each type of service.

**Response:**

**N/A**

24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:

- a. The RSAG valid address of the customer location;
- b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11-character CLLI);
- c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
- d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
- e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.

**Response:**

**Tellico does not have any type of facilities outside of the state of Tennessee. Tellico's facilities do not extend past Tellico's certified exchange boundary.**

25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:

- a. pick up additional traffic;
- b. pick up additional or new customers;
- c. pick up additional or new buildings.

**Response:**

**Tellico does not have any type of facilities outside of the state of Tennessee. Tellico's facilities do not extend past Tellico's certified exchange boundary.**

### **REQUESTS FOR PRODUCTION**

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.
2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
3. Produce any business case from 2000 to present to your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
4. Produce any business case from 2000 to present to your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

**TDS Telecom**  
**TENNESSEE REGULATORY AUTHORITY**  
**DOCKET No. 03-00527**  
**MATTERS UPON WHICH EXAMINATION IS REQUESTED**  
**PURSUANT TO T.C.A. §§ 4-5-311 AND 65-2-102**

**Tennessee Telephone Company**

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached you own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample form for Response to Question 1									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Tennessee Telephone Company (Tennessee Tel) does not provide qualifying service to any customers in BellSouth's service territory in Tennessee. Tennessee Tel does not provide any type of service, or own any type of facilities outside of the state of Tennessee.**

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices to wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purpose of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on a unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using

**Distribution:**

☒ Spalding  
☒ Hobbs  
☒ Phillips  
☐ Culpepper

☒ Lackey  
☐ Edenfield  
☐ Carver  
☐ Hogeman

☒ Shore

Foshee  
 Ellenberg

☒ Mays

the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample form for Response to Question 2									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Tennessee Tel does not provide wholesale service to any customers in BellSouth's service territory in Tennessee. Tennessee Tel does not provide any type of service outside the state of Tennessee.**

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

Sample form for Response to Question 3									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Tennessee Tel has not acquired any type of wholesale service from any third parties in any states.**

4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
  - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (provide the full 11 character CLLI.)
  - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for

the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.

- c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
- d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
- e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
- f. Whether you are able to immediately provide transport along the particular route.
- g. The capacity deployed and the capacity active on the route as of September 30, 2003.

**Response:**

N/A

5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
  - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
  - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
  - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
  - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
  - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
  - f. Whether you are willing and able immediately to provide transport along the particular route.
  - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

**Response:**

N/A

6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):



- a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
- b. The name of the carrier or company from whom you received or purchased the transport;
- c. Whether you are operationally ready to provide transport using these facilities; and
- d. The capacity deployed and the capacity active on the route as of September 30, 2003.

**Response:**

N/A

7. If, in response to Question 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if you wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

**Response:**

**Tennessee Tel does not have any type or form of wholesale operations.**

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to you customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample form for Response to Question 8: Self-provided facilities for providing retail service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Tennessee Tel does not provide the described service outside of its service area as certified by the Tennessee Regulatory Authority.**

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample form for Response to Question 9: Self-provided facilities offered on wholesale basis									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Tennessee Tel does not provide wholesale service to any customers in BellSouth's service territory in Tennessee. Tennessee Tel does not provide any type of service outside the state of Tennessee.**

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample Response Form-Question 10: 3 <sup>rd</sup> Party facilities leased for providing retail service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Tennessee Tel does not provide retail service to any customers utilizing the arrangement described in this interrogatory. Tennessee Tel does not provide any type of service outside the state of Tennessee.**

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

Sample form for Response to Question 11: 3 <sup>rd</sup> Party facilities leased for reselling as wholesale service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	X	X	X	X	X	X	X	X	X

**Response:**

**Tennessee Tel does not provide wholesale service to any customers. Tennessee Tel does not provide any type of service outside the state of Tennessee.**

12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
- The RSAG valid address of each customer location.
  - The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
  - Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
  - Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
  - Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to address such restrictions.
  - The capacity deployed and capacity activated to the specific location as of September 30, 2003.

**Response:**

N/A

13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheet), identifying:
- The RSAG valid address of each customer location.

- b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
- c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
- d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
- e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
- f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc.).
- g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.

**Response:**

N/A

14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:

- a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
- b. The type of equipment and number of equivalent DSO channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
- c. The transmission facilities and number of equivalent DSO channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).
- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 cross connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.

- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangements(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.

**Response:**

**Tennessee Tel does not have any type of collocation in any BellSouth wire centers in any state.**

15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are operationally ready to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that my indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:

BST wire center → IXC POP → ← IXC POP → BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis over the transport facilities;
- g. Whether you are willing and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.

- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).

**Response:**

**Tennessee Tel has not deployed the types of facilities described in this interrogatory in any state.**

16. For each central office/wire center identified in response to Interrogatory No. 15:

- a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
- b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.

**Response:**

**N/A**

17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC – points of presence (“POP”) should be identified:

BST wire center → IXC POP → ← IXC POP → BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;

- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are willing and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

**Response:**

**Tennessee Tel does not provide wholesale service to any customers in BellSouth's service territory in Tennessee. Tennessee Tel does not provide any type of service outside the state of Tennessee.**

17. For each central office/wire center identified in response to Interrogatory No. 16:

- a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
- b. If you responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.

**Response:**

**N/A**

18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.

**Response:**

**Tennessee Tel does not have any type of facilities outside of the state of Tennessee. Tennessee Tel's facilities do not extend past Tennessee Tel's certified exchange boundary.**

19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.

**Response:**

**Tennessee Tel does not have any type of facilities outside of the state of Tennessee. Tennessee Tel's facilities do not extend past Tennessee Tel's certified exchange boundary.**

20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer unites accessible in a multi-tenant building.

**Response:**

**Tennessee Tel does not have any type of facilities outside of the state of Tennessee. Tennessee Tel's facilities do not extend past Tennessee Tel's certified exchange boundary.**

21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.

**Response:**

**Tennessee Tel does not have any type of facilities outside of the state of Tennessee. Tennessee Tel's facilities do not extend past Tennessee Tel's certified exchange boundary.**

22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. Fore each such location state:
- a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
  - b. The type of equipment and number of equivalent DSO channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
  - c. The transmission facilities and number of equivalent DSO channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., Bell South UNEs, BellSouth special access, self provision, third party provision).

**Response:**

**Tennessee Tel does not have any shared locations.**

23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
- a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
  - b. For each service identified in (a), list the average monthly revenue associated with each type of service.



**Response:**

N/A

24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:

- a. The RSAG valid address of the customer location;
- b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11-character CLLI);
- c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
- d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
- e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.

**Response:**

Tennessee Tel does not have any type of facilities outside of the state of Tennessee. Tennessee Tel's facilities do not extend past Tennessee Tel's certified exchange boundary.

25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:

- a. pick up additional traffic;
- b. pick up additional or new customers;
- c. pick up additional or new buildings.

**Response:**

Tennessee Tel does not have any type of facilities outside of the state of Tennessee. Tennessee Tel's facilities do not extend past Tennessee Tel's certified exchange boundary.

### **REQUESTS FOR PRODUCTION**

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.
2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
3. Produce any business case from 2000 to present to your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
4. Produce any business case from 2000 to present to your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**December 16, 2003**

<i>IN RE: Implementation of the Federal</i>	) <i>Docket No. 03-00527</i>
<i>Communications Commission's Triennial</i>	)
<i>Review Order (Nine-month Proceeding) (Loop</i>	)
<i>&amp; Transport)</i>	)

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**RESPONSES AND OBJECTIONS OF US LEC OF TENNESSEE INC. TO BELL SOUTH  
TELECOMMUNICATIONS' INTERROGATORIES (1-25) AND REQUEST FOR  
PRODUCTION OF DOCUMENTS (1-5)**

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US LEC of Tennessee Inc. ("US LEC") hereby responds and objects to BellSouth Telecommunications, Inc.'s ("BellSouth") First Set of Interrogatories ("BellSouth's Interrogatories") to US LEC served on December 2, 2003 as set forth below. These Responses and Objections are filed pursuant to the Commission's Procedural Order issued on October 27, 2003, and the Order Re-establishing Procedural Schedule issued on November 20, 2003, (collectively, the "Procedural Order").

US LEC reserves the right to amend, supplement, or revise these objections, and assert additional objections, should US LEC discover additional grounds for objecting as US LEC prepares its responses to any discovery or at any time prior to hearing.

**General Objections to BellSouth's Interrogatories**

1. US LEC objects to BellSouth's Interrogatories to US LEC as being overly broad, lack specificity, unduly burdensome, irrelevant and not likely to lead to the discovery of admissible evidence.
2. US LEC objects to BellSouth's Interrogatories to US LEC to the extent that the interrogatories seek discovery of information protected by attorney-client privilege, the work product doctrine, the accountant-client privilege, or any other applicable privilege.
3. US LEC objects to BellSouth's Interrogatories to US LEC to the extent that the interrogatories purport to impose discovery obligations on US LEC beyond the scope of, what is permitted under the Procedural Order in this docket and the applicable Tennessee Rules of Civil Procedure.
4. US LEC objects to BellSouth's Interrogatories to US LEC to the extent that the interrogatories purport to seek discovery of matters other than those subject to the jurisdiction of the Commission pursuant to the Federal Communications Commission's ("FCC") Triennial Review Order ("TRO") and the Tennessee General Statutes.

5. US LEC objects to all Interrogatories that require the disclosure of information which already is in the public domain, BellSouth already has possession of or unrestricted access to, and information that is otherwise on record with the Commission or the FCC.

6. US LEC objects to BellSouth's Interrogatories to US LEC to the extent that the interrogatories seek information and discovery of facts known and opinions held by experts acquired and/or developed in anticipation of litigation or for hearing and outside the scope of discoverable information pursuant to the Tennessee Rules of Civil Procedure.

7. Pursuant to the Procedural Order, the TRO, and the Tennessee Rules of Civil Procedure, to the extent that BellSouth's interrogatories request specific financial, business or proprietary information regarding US LEC's economic business model, US LEC objects to providing or producing any such information on the grounds that those requests presume that the market entry analysis is contingent upon US LEC's economic business model instead of the hypothetical business model contemplated by the TRO.

8. US LEC objects to BellSouth's Interrogatories to the extent they seek information related to special access circuits purchased out of BellSouth's interstate tariff rather than to unbundled network elements.

9. US LEC objects to BellSouth's definition of "business case" as vague and overly broad.

10. Pursuant to the Procedural Order, the TRO, and the Tennessee Rules of Civil Procedure, to the extent that BellSouth's interrogatories request specific financial, business or proprietary information regarding US LEC's economic business model, US LEC objects to providing or producing any such information on the grounds that those requests presume that the market entry analysis is contingent upon US LEC's economic business model instead of the hypothetical business model contemplated by the TRO.

11. US LEC objects to BellSouth's definitions of "hot cut," "batch hot cut," "individual hot cut," "coordinated cut over" and "coordinated time-specific cut over" and each and every interrogatory that includes such terms, as such definitions are vague and not adequately defined in that it is not clear whether or to what extent BellSouth's practices are consistent with the FCC's use of such terms. The reference in BellSouth's definition of "hot cut" to the "entire process" is vague in that it is not clear whether this includes number portability or whether it is limited to the physical process of transferring a customer. The term "batch" is vague in that it is unclear how many lines or customers constitute a "batch" or whether conversion of a single customer with several accounts would constitute a "batch." BellSouth's use of the term "individual hot cut" is vague in that it is defined with reference to "batch hot cuts," which is itself vague and ambiguous. BellSouth's definitions of "coordinated cut over" and "coordinated time-specific cut over" are vague and ambiguous. The distinctions among BellSouth's definitions for "hot cuts," "individual hot cuts," "coordinated cut overs" and coordinated time-specific cut overs" are unclear. Thus, such discovery is over broad and it would be unduly burdensome for US LEC to respond to such ambiguous discovery. US LEC

further objects to BellSouth's use of such terms as they apply to BellSouth's individual hot cut process as US LEC is not privy to each and every process or procedure employed by BellSouth in implementing such hot cuts.

12. US LEC objects to BellSouth's definition of "voice grade equivalent lines" as vague and ambiguous and subject to differing interpretations. For instance, it is unclear whether this term as defined includes lines capable of carrying voice traffic but which are, in fact, used for data traffic.

13. US LEC objects to the definitions for "qualifying service" and "non-qualifying service," and each and every interrogatory or request for production that includes such terms, as US LEC does not use such terms in the ordinary course of business and answering in these terms would require US LEC to provide a legal interpretation of the FCC's terms. With the exception of the specific services the FCC has designated as qualifying or non-qualifying, the term is not clearly defined by the FCC or by BellSouth. For example, as the FCC stated in footnote 466 of the TRO, "Our list is intended to identify general categories of services that would qualify as eligible services. It is not intended to be an exhaustive list or to identify services in a more particular manner." Thus, such discovery is overly broad and it would be unduly burdensome for US LEC to respond to such ambiguous discovery.

#### **Specific Objections and Responses to BellSouth's Second Set of Interrogatories**

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready

to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

3. Affirm or deny whether you have acquired on a wholesale basis from a third party DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the nine Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:

- a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
- b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
- c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
- d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
- e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
- f. Whether you are able to immediately provide transport along the particular route.
- g. The capacity deployed and the capacity active on the route as of September 30, 2003.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:

- a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
- b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
- c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
- d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
- e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
- f. Whether you are willing and able immediately to provide transport along the particular route.
- g. The capacity deployed and the capacity active on the route as of September 30, 2003.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):

- a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
- b. The name of the carrier or company from whom you received or purchased the transport;
- c. Whether you are operationally ready to provide transport using these facilities; and
- d. The capacity deployed and the capacity active on the route as of September 30, 2003.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers..

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.



10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

12. For each state in Questions 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:

- a. The RSAG valid address of each customer location.
- b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
- c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
- d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
- e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:

- a. The RSAG valid address of each customer location.
- b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
- c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
- d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
- e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
- f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
- g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:

- a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
- b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
- c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).
- d. The amount of unused or excess space in each collocation space.

- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are operationally ready to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. *This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:*

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are willing and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

16. For each central office/wire center identified in response to Interrogatory No. 16:

- a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
- b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No.2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC – points of presence (“POP”) should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;

- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

17. For each central office/wire center identified in response to Interrogatory No. 16:

- a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
- b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer

specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:

- a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
- b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
- c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.

- a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
- b. For each service identified in (a), list the average monthly revenue associated with each type of service.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This

interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:

- a. The RSAG valid address of the customer location;
- b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
- c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
- d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
- e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:

- a. pick up additional traffic;
- b. pick up additional or new customers;
- c. pick up additional or new buildings.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

### **Objections and Responses to Requests for Production**

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no facilities responsive to this request which are used to serve Tennessee customers.

2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that there are no such documents identified.

3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within Tennessee.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no documents responsive to this request which are used to serve Tennessee customers.

4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no documents responsive to this request which are used to serve Tennessee customers.

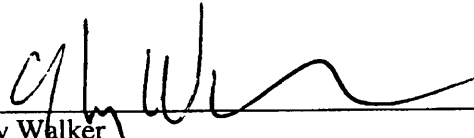
5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

**Response:** US LEC incorporates the general objections set forth above. Subject to and without waiving these objections, US LEC responds that it has no documents responsive to this request which are used to serve Tennessee customers.

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: \_\_\_\_\_

  
Henry Walker  
414 Union Street, Suite 1600  
P.O. Box 198062  
Nashville, Tennessee 37219  
(615) 252-2363



**CERTIFICATE OF SERVICE**

I hereby certify that on December 16, 2003, a copy of the foregoing document was serviced on the parties of record, via US mail:

Guy Hicks  
BellSouth Telecommunications, Inc.  
333 Commerce St., Suite 2101  
Nashville, TN 37201

Charles B. Welch, Esquire  
Farris, Mathews, et. Al  
618 Church St., #300  
Nashville, TN 37219

Timothy Phillips, Esquire  
Office of Tennessee Attorney General  
P. O. Box 20207  
Nashville, Tennessee 37202

H. LaDon Baltimore, Esquire  
Farrar & Bates  
211 Seventh Ave., N. #320  
Nashville, TN 37219-1823

James Wright, Esquire  
United Telephone – Southeast  
14111 Capital Blvd.  
Wake Forest, NC 27587

Martha M. Ross-Bain, Esq.  
AT&T Communications of the  
South Central States, LLC  
1200 Peachtree Street, Suite 8100  
Atlanta, GA 30309

Ms. Carol Kuhnnow  
Qwest Communications, Inc.  
4250 N. Fairfax Dr.  
Arlington, VA 22203

Jon E. Hastings, Esq.  
Boult, Cummings, et al.  
P. O. Box 198062  
Nashville, TN 37219-8062

Dale Grimes, Esq.  
Bass, Berry & Sims  
315 Deaderick St., #2700  
Nashville, TN 37238-3001

Mark W. Smith, Esq.  
Strang, Fletcher, et al.  
One Union Square, #400  
Chattanooga, TN 37402

Nanette S. Edwards, Esq.  
ITC^DeltaCom  
4092 South Memorial Parkway  
Huntsville, AL 35802

Kennard B. Woods, Esq.  
WorldCom, Inc.  
Six Concourse Parkway, Suite 600  
Atlanta, Georgia 30328

  
\_\_\_\_\_  
Henry Walker



Self-Provisioned Retail Loop Information Spreadsheet page 2				
Retail Loop Premises Access				
Customer Address				
Address	City	Zip		Steps taken to remove barrier
US LEC of Tennessee Inc. has no facilities responsive to this request.				

Wholesale Loop Information Spreadsheet, Page 1																	
State: Tennessee																	
Customer Address			City	Zip	CLLI from which loop extends	Reporting Company Name	Facility wholly owned (Yes, No)	If No, third party facility vendor	Dark Fiber from BellSouth on IRU basis (Yes, No)	Can serve all at location (Yes, No)	If No, Indicate line # Ref, Pg 2	Access at technically feasible point (Yes, No)	Capacity In-Service			Total Capacity Deployed	
													DS1	DS3	Fibers	DS1	DS3
RSAG Valid Address																	
US LEC of Tennessee Inc. has no facilities responsive to this request.																	

Wholesale Loop Information Spreadsheet page 2			
Wholesale Loop Premises Access			
Customer Address			
Address	City	Zip	Steps taken to remove barrier
US LEC of Tennessee Inc. has no facilities responsive to this request.			

### Question 4 Spreadsheet: Self-provisioned Transport Information

[illegible]

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access					
Wire Center "A"			Wire Center "Z"		
Wire Center CLLI code	Collocation ACTL CLLI	Collocation "owner"	Wire Center CLLI code	Collocation ACTL CLLI	Collocation "owner"
US LEC of Tennessee Inc. has no facilities responsive to this request.					

**State: Tennessee**

**US LEC of Tennessee Inc. has no facilities responsive to this request.**



